



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,178	06/18/2001	Hiroshi Ikeda	1614.1171	8007

21171 7590 07/21/2004

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

ALABAIDI, HAYTHIM J

ART UNIT	PAPER NUMBER
----------	--------------

2171

DATE MAILED: 07/21/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/882,178

Applicant(s)

IKEDA ET AL.

Examiner

Haythim J. Alaubaidi

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09/882178.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 2171

DETAILED ACTION

1. This communication is in response to the amendment of April 19, 2004.
2. Claims 1-20 are presented for examination following the amendment.
3. The Examiner acknowledges the Applicant's correction to Claim 20. hence, the Examiner withdrew the objection to the Claim.
4. The Applicant's amendment to claim 1, overcame the 112 rejection. The Examiner hereby withdrew the 112 rejection.

Priority

5. Applicant's claim for foreign priority under 35 U.S.C. §119(a)–(d) is acknowledged and therefor accorded the benefit of the earlier filing date of 19 June 2000.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-11, are rejected under 35 U.S.C. 103(a) as being unpatentable by Shabbir M. Dahod (U.S. Patent No. 6,574,608 and Dahod hereinafter) in view of Andrew Fano (U.S. Patent No. 6,317,718 and Fano hereinafter)..

Regarding Claim 1, Dahod discloses,

a member (buyer) information database managed in said center site (home page of Figure 4; see also the image copy of the website for "www.iwant.com") and storing member information (Figure 1 and corresponding text; see also Figure 4 and 5);

wherein: said member information database stores the member information obtained through said center site (figure 4 and 5 and corresponding text);

Dahod's reference discloses all of the claimed subject matter set forth above, except it does not explicitly indicate said center site sends the member information stored in said member information database to said plurality of said service sites; and said center site searches for one of the plurality of service sites based on information indicating a location of a user from the member information stored in the member information database and provides a search result to the user via a service site accessed by the user. However Fano discloses said center site sends the member information (for example, location) stored in said member information database to said plurality of said service sites (Col 26, Line 65 through Col 27, Line 8; see also Col 29, Lines 21-34); Fano also discloses said center site searches for one of the plurality of service sites based on information indicating a location of a user from the member information stored in the member information database (Col 26, Line 65 through Col 27, Line 8; see also Col 52, Lines 17-24) and provides a search result to the user via a service site accessed by the user (Col 52, Lines 25-31) . Given the intended broad

Art Unit: 2171

application of the Dahod's system, It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Dahod with the teachings of Fano to include the feature of inquiring about service site relative to the users location to save time and effort in data searching also to maximize the filtering procedures of the search by limiting the region of the search and the area of interest for the user.

Regarding Claims 2 and 9, Dahod discloses;

when a user accesses one service site of the service sites through said center site, (Figure 7, and corresponding text i.e. "if you are buying" see also "if you are selling")

said center site retrieves the member information of the user from said member information database and sends the member information to said one service site (figures 11-12 and corresponding text).

Regarding Claim 3, Dahod discloses classifying (Figure 7, and corresponding text, i.e. seller or buyer).

Regarding Claim 4, the limitations of this claim is similar in scope to the rejected claim 1, above. In addition Dahod discloses member ID (Figures 3,7 and 10, i.e. user name).

Regarding Claim 5, Dahod discloses when a user makes an action at one service site of said service sites (Figure 6 and corresponding text)

said one service site sends information concerning said action of the user to said center site (Col 5, Lines 59-62).

Regarding Claim 6, Dahod discloses updates the member information of the user in said member information database by using said information concerning said action of the user (Col 7, Lines 29-39, i.e. new posting; see also automatically sends an email).

Regarding Claim 7, Dahod discloses;

a updating part updating said member information of said member information database in response to each action at service sites (Col 7, Lines 29-39, i.e. new posting; see also automatically sends an email);

a sending part the member information stored said member information database (Col 7, Lines 29-39, i.e. automatically sends an email)

when a user accesses one service site of said service sites (Figure 8, and corresponding text)¹

wherein each member information from said service sites connected to said center site is stored in said member information database; and (Figure 3-5 and 9-10 and corresponding text)

said member information database is a single database for said service sites (Col 5, Lines 18-22; see also Col 11, Lines 8-20; see also Col 11, Lines 28-30).

Regarding Claim 8, the limitations of this claim is similar in scope to the rejected claim 7, above. In addition Dahod discloses so that said member information of said

¹ When a seller accesses a buyers listing.

member information database in said center site is updated by and shared with other service sites accessible through said center site (Figure 6, and corresponding text)².

Regarding Claim 10, the limitations of this claim is similar in scope to the rejected claims 1 and 7, above. It is therefor rejected as set forth above.

Regarding Claim 11, Dahod discloses providing information suitable for a service type by changing a search region for each service type (Col 5, Lines 51-56; see also Col 6, Lines 29-34).

8. Claims 12-14, 17 and 19-20, are rejected under 35 U.S.C. 102(e) as being anticipated by Andrew Fano (U.S. Patent No. 6,317,718 and Fano hereinafter).

Regarding Claims 12-13, Fano discloses;
registering a service region for each shop providing a service to an individual user (Col 47, Lines 23-38)

searching shops based on the service region, so that information related to one shop is not retrieved in said when the registered service region of the one shop, is out of a search region (Col 47, Lines 48-56).

Regarding Claim 14, Fano discloses providing information suitable for a user state by changing a search condition based on a moving speed of the user (Col 49, Lines 10-35).

² The Examiner is interpreting the "member information" in this claim to be the information entered by the buyer (member) as to the personal information, Element No. 238, and the information regarding the product or service interest of the buyer Element No. 232.

Regarding Claims 17, Fano discloses changing a search condition based on the move history (Col 40, Lines 4-7, i.e. history of the user interactions and current real-time situation including "who, where, and when").

Regarding Claim 19, Fano discloses a defining part defining a plurality of places as a single region; and (Col 47, Lines 21-22 and 24-25)

a registering part registering said single region to said member information database (Col 47, Lines 48-56).

Regarding Claim 20, Fano's reference discloses all of the claim subject matter set for above, except it does not explicitly indicate the excluding of certain places.

However Fano does address the capability of the system in specifying certain places in a certain region, for example Figure 27, the user is able to specify a certain place of interest, for example "Lord and Taylor" in the region of the mall, by doing this, the user has excluded all of the other places in this region. Given the intended broad application of Fano's system, it would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Fano by including a feature that will allow a user to manually exclude specific places instead of having the system to do it automatically, one good reason would be to increase flexibility of such a system, that would lead to increase in the sell of such a product.

9. Claims 15-16, are rejected under 35 U.S.C. 102(e) as being anticipated by John J. Correia (U.S. Patent No. 6,424,912 and Correia hereinafter).

Regarding Claim 15, Correia discloses providing information suitable for a moving direction of a user by changing a search condition based on the moving direction (figure 4 and corresponding text, see also Element 430, i.e. vehicle direction).

Regarding Claim 16, Correia discloses providing information suitable for a moved distance of a user by changing a search condition based on the moved distance figure 4 and corresponding text, see also Element 430, i.e. distance).

10. Claim 18, are rejected under 35 U.S.C. 102(e) as being anticipated by Yasuhiro Monde (U.S. Patent No. 6,356,839 and Monde hereinafter).

Regarding Claim 18, Monde discloses providing information suitable for a weather condition of a user by changing a search condition based on the weather condition (Figure 1, and corresponding text).

Response to Arguments

11. Applicant's arguments, filed in the amendment of April 19, 2004, with respect to the added limitation have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Andrew Fano, U.S. Patent No. 6,317,718.

Office Action Status

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Points of Contact

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haythim J. Alaubaidi whose telephone number is (703) 305-1950. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436.

Application/Control Number: 09/882,178
Art Unit: 2171

Page 10

Any response to this office action should be mailed to:

The Commissioner of Patents and Trademarks, Washington, D.C. 20231 or telefax at
our fax number (703) 872-9306.

Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, 6th
Floor Receptionist, Arlington, Virginia. 22202.

Haythim J. Alaubaidi

Patent Examiner
Technology Center 2100
July 12, 2004

Frantz Coby
FRANTZ COBY
PRIMARY EXAMINER